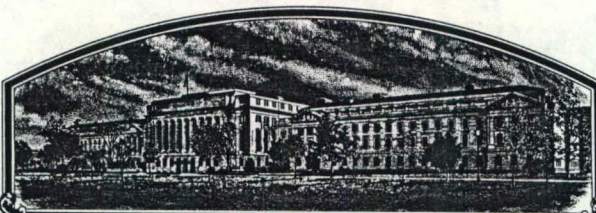


No.

8300155



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Moran Seeds, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *Eighteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (U.S.C. 542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

CELERY

'Bishop'

Attest:

Kenneth A. Kiser
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

In Testimony Whereof, I have hereunto set
my hand and caused the seal of the Plant
Variety Protection Office to be affixed
at the City of Washington
this 22nd day of February in
the year of our Lord one thousand nine
hundred and eighty-five.

John R. Block
Secretary of Agriculture

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions on reverse)

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1. NAME OF APPLICANT(S) Moran Seeds, Inc.		2. TEMPORARY DESIGNATION CRY 002		3. VARIETY NAME BISHOP	
4. ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) 1155 Harkins Road Salinas, CA 93901		5. PHONE (Include area code) (408) 757-3651		FOR OFFICIAL USE ONLY PVPO NUMBER 8300155	
6. GENUS AND SPECIES NAME Apium graveolens L.		7. FAMILY NAME (Botanical) Umbelliferae		FILING DATE 7/18/83 TIME 2:30 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	
8. KIND NAME CELERY		9. DATE OF DETERMINATION BISHOP-AUGUST 1, 1982		FEES RECEIVED AMOUNT FOR FILING \$ 1,000 DATE 7/18/83 AMOUNT FOR CERTIFICATE \$ 500.00 DATE 1/14/85	
10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION (Corporation, partnership, association, etc.) CORPORATION				11. IF INCORPORATED, GIVE STATE OF INCORPORATION DELAWARE	
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS Frank V. Westerlund - Moran Seeds, Inc. 1155 Harkins Road, Salinas, CA 93901				12. DATE OF INCORPORATION 4/29/64	

14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED

- a. ☒ Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- b. ☒ Exhibit B, Novelty Statement
- c. ☒ Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
- d. ☒ Exhibit D, Additional Description of the Variety

15. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act.) ☐ Yes (If "Yes," answer items 16 and 17 below) ☒ No

16. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? ☐ Yes ☐ No

17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? ☐ Foundation ☐ Registered ☐ Certified

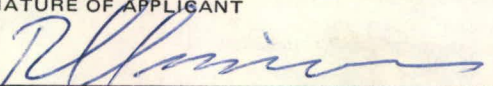
18. DID THE APPLICANT(S) FILE FOR PROTECTION OF THE VARIETY IN THE U.S. OR OTHER COUNTRIES? ☐ Yes (If "Yes," give names of countries and dates) ☒ No

19. HAVE RIGHTS BEEN GRANTED IN THE U.S. OR OTHER COUNTRIES? ☐ Yes (If "Yes," give names of countries and dates) ☒ No

20. The applicant(s) declare(s) that a viable sample of basic seeds of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT 	DATE 7/5/83
SIGNATURE OF APPLICANT	DATE 1

INSTRUCTIONS

General: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Department of Agriculture, Agricultural Marketing Service, Livestock, Meat, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

Item

- 9 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 14a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 14b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 14c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 14d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 15 If "Yes" is specified (*seed of this variety be sold by variety name only as a class of certified seed*) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "No," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 16 See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

EXHIBIT A

ORIGIN AND BREEDING HISTORY OF THE VARIETY

CELERY: BISHOP

Bishop originated from a single plant selection from a heterogeneous Tall Utah 52-70 type in the Santa Maria Valley of California in 1976.

The plant was selected in an area of a field where 95% of the plants were dead or very stunted from a disease thought to be Fusarium Yellows Race 2. This was confirmed by laboratory isolations and greenhouse pathogenicity tests following Koch's postulates.

The plant was selfed in the greenhouse and the progeny were tested for resistances to Fusarium oxysporum f. sp. apii Race 1 and Race 2. Horticultural type and resistance to Fusarium Yellows Race 1 and 2 were stabilized after 2 generations of screening for resistance in the greenhouse, and single plant selections in the field. In 1979 trials, a mass of 10 comparable plants was made and designated as 76-2-723-1 and used to make a basic seed increase.

Greenhouse resistant screening trials and field trials in areas with a history of Fusarium Yellows Race 2 confirmed that the basic seed increase was resistant to Fusarium Race 1 and 2 and the genetic make-up of the variety was stabilized. This experimental variety was temporarily designated CRY002. A fifth generation grown in 1981 also exhibited the true breeding character of this new celery variety 'Bishop'.

FOUR STAR BOND

SECRETARY OF THE ARMY

55% COTTON FIBER

EXHIBIT B

NOVELTY STATEMENT

Bishop belongs to the Crystal Jumbo class of celery varieties. Bishop possesses characteristics most closely resembling those of Tall Utah 52-70R Improved. However, Bishop is tolerant to Fusarium Yellow Race 2 and Tall Utah 52-70R Improved is susceptible. Bishop matures 5 days later than Tall Utah 52-70R Improved, averages 1 cm. shorter than Tall Utah 52-70R Improved. The 10 outer petioles average 5 mm longer than Tall Utah 52-70R Improved and the 4 inner petioles are 2mm shorter. The petioles are moderately cupped with inconspicuous ribbing and moderate stringiness. The 14 petioles form a compact cylindrical stalk that is slightly flaring at the base.

CHARACTERISTICS	BISHOP	TALL UTAH 52-70R IMP.
1. Fusarium Yellows Race 1	Resistant	Resistant
2. Fusarium Yellows Race 2	Tolerant <i>RESISTANT</i>	Susceptible
3. Average maturity days	100	95
4. Ribbing	Inconspicuous	Moderate
5. Height	58cm	59cm

SUMMARY:

Bishop most closely resembles Tall Utah 52-70R Improved. However, Bishop is five (5) days later than Tall Utah 52-70R Improved and has inconspicuous ribbing, whereas, Tall Utah 52-70R Improved has moderate ribbing. Bishop is tolerant to Fusarium Yellows Race 2 and Tall Utah 52-70R Improved is susceptible.

= Resistant 12/7/84 JGN

SECRET

1. The purpose of this document is to provide information regarding the activities of the [redacted] in the [redacted] area. This information is being provided to you for your information and is not to be distributed outside of your organization.

2. The [redacted] has been identified as a [redacted] and is currently active in the [redacted] area. The [redacted] is currently active in the [redacted] area and is currently active in the [redacted] area.

3. The [redacted] is currently active in the [redacted] area and is currently active in the [redacted] area. The [redacted] is currently active in the [redacted] area and is currently active in the [redacted] area.

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CONFIDENTIAL
EXCLUDED FROM AUTOMATIC
DOWNGRADING AND
DECLASSIFICATION



FIGURE 1. - Photograph showing the resistant reaction of Bishop to Fusarium oxysporum f. sp. apii Race 2 compared to the susceptible reaction of Tall Utah 52-70R Improved. (Greenhouse inoculation)



52-70R IMPROVED

BISHOP

FIGURE 2. - Photograph showing resistant reaction of Bishop and the susceptible reaction of 52-70R Improved to Fusarium oxysporum f. sp. apii Race 2. (Oxnard Calif)

1948

FOR SALE

2000



1948



FIGURE 3 Photo above shows differences in degree of cupping between Bishop and Deacon petioles.

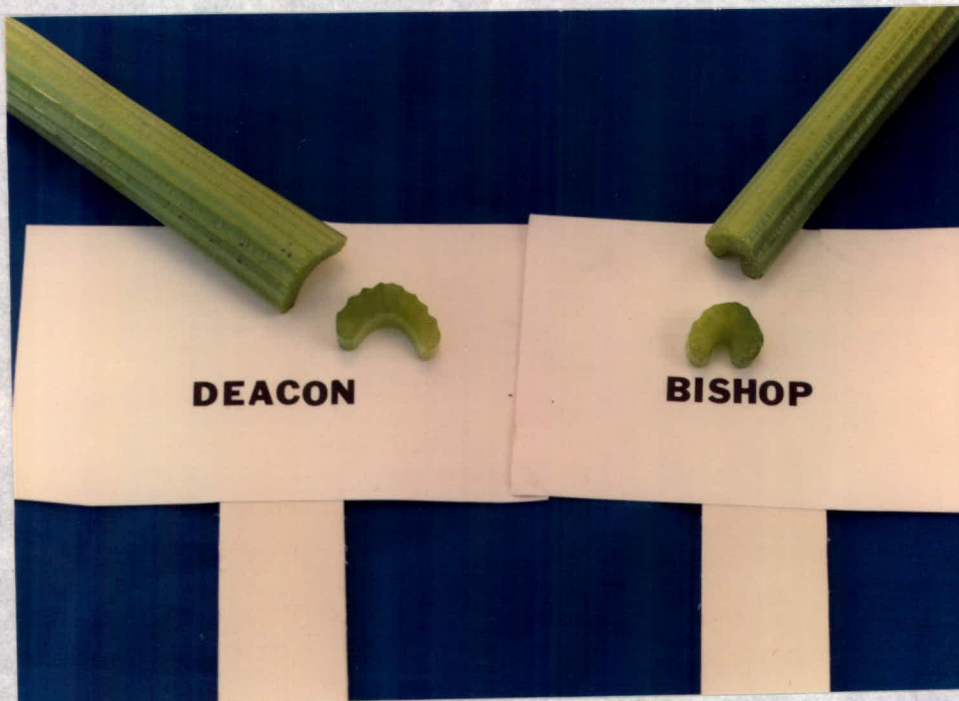
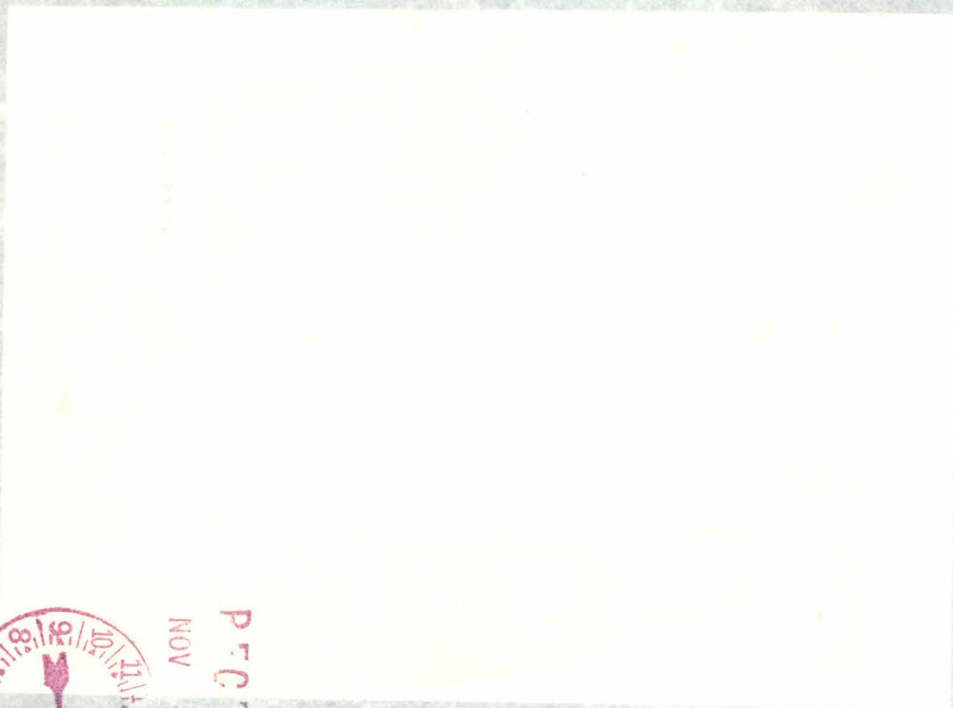
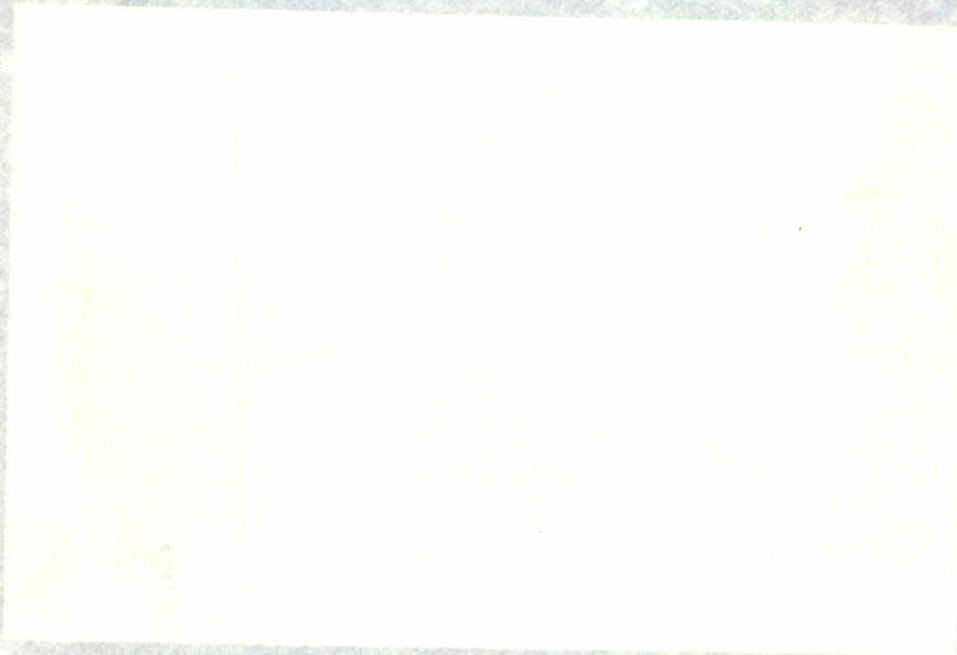


FIGURE 4 Photo above shows petiole comparison of Bishop and Deacon, and cross sectional view. Note differences in greater degree of cupping and smoother rib of Bishop as compared to Deacon.



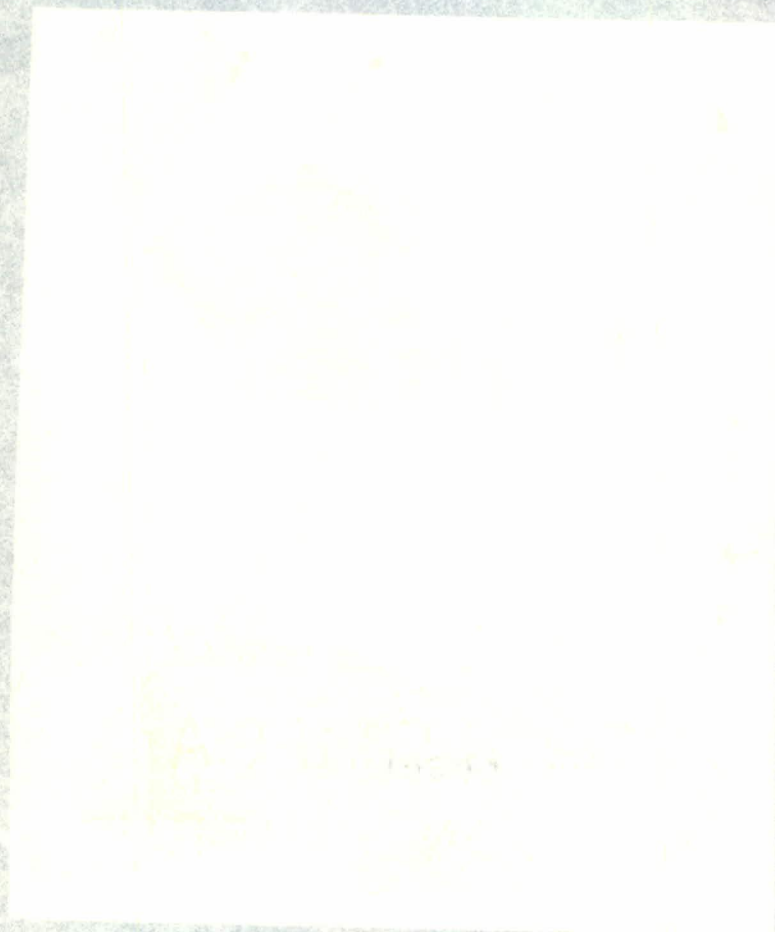
NOV 8 1983

PROCESSED

BISHOP CELERY 8300155



FIGURE 5 Shows cut sections of petioles of Bishop and Deacon. Note smooth rib and extreme cupping present in Bishop as compared to Deacon.



RECEIVED
NOV 8 1963

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, MEAT, GRAIN & SEED DIVISION
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MARYLAND 20705

EXHIBIT C
(Celery)

OBJECTIVE DESCRIPTION OF VARIETY
CELERY (Apium graveolens L. var. dulce (Miller) Pers.)

NAME OF APPLICANT(S) MORAN SEEDS, INC.	TEMPORARY DESIGNATION CRY002	VARIETY NAME BISHOP
ADDRESS (Street and No., or R.F.D. No., City, State, and Zip Code) 1155 Harkins Road Salinas, CA 93901		FOR OFFICIAL USE ONLY PVPO NUMBER 8300155

Place numbers in the boxes to designate the expressions which are characteristic of the application variety. Data for quantitative plant characters should be based on a minimum of 50 plants. Include leading zeros when necessary (e.g., 0 8 9) for quantitative data. Comparative data should be determined from varieties entered in the same trial with the same planting or transplant date. Plant colors may be precisely designated by using any recognized color chart, e.g., The National Bureau of Standards Color Kit 2107.

COMPARISON VARIETIES
(For Use Below)

1 = Tall Utah 52-70R Improved 2 = Florida 683 3 = Summer Pascal 4 = Tall Golden Self Blanching

1. TYPE:

1

- 1 = Crystal Jumbo (Tall Utah 52-70R Improved)
- 2 = Ordinary Utah (Tall Utah 10-B)
- 3 = Pascal (Summer Pascal)
- 4 = Green Intermediates (Slow Bolting Green No. 96)
- 5 = Yellow (Tall Golden Self Blanching)
- 6 = Other (Specify) _____

2. MATURITY:

Number of days from transplanting to harvest date (during principal production period of growing location):

1 0 0

Days in Western U.S. (Specify growing location and transplant date): Salinas Valley California

Days earlier than

Same as

Comparison Varieties

0 5

Days later than

1

Transplanted 5/19/82

Days in Eastern U.S. (Specify growing location and transplant date):

Not tested

Days earlier than

Same as

Comparison Varieties

Days later than

Class (as determined by number of days from transplanting to harvest maturity):

3

In Western U.S.

1 = Very Early
(\leq or = 70 days)

2 = Early
(71 - 85 days)

NT

In Eastern U.S.

3 = Midseason
(86 - 100 days)

4 = Late
(101 - 115 days)

5 = Very Late
(\geq or = 116 days)

5. LEAF BLADE (Of outermost petioles of trimmed plant):

Color of Upper Surface:

1 = Yellowish Green
(Tall Golden Self Blanching)2 = Dark Green
(Tall Utah 52-70R
Improved)3 = Other (Specify) Dark Green like 52-70R
but leaf thinner than 52-70R and
different shape and appears light green
in transmitted light.

Color Chart Value (Specify chart used; _____)

Application Variety _____

Comparison Variety _____

6. BOLTING:

Class:

1 = Easy Bolting (Tall Utah 52-70R Improved)
3 = Very Slow Bolting (Tall Non-Bolting Golden Plume)

2 = Slow Bolting (Slow Bolting Green No. 96)

 % Plants Bolted in Seedling Year (Specify growing location and transplant date for field tests, or temperature and length of vernalization
period for artificial induction; 14 days in cold storage room at 1 C in 1982):

% More plants bolted than

Same % plants bolted as

% Less plants bolted than

1 = Tall Utah 52-70R Improved
2 = Florida 683
3 = Golden Plume
4 = Slow Bolting Green No. 96**7. STRESS TOLERANCE (0 = untested, 1 = susceptible, 2 = tolerant; data from replicated tests comparing the application variety with the indicated susceptible (S) and tolerant (T) check varieties should be provided whenever possible in Exhibit D):**

Adaxial Crackstem (Boron Deficiency; S = Utah 10-B, T = Tall Utah 52-70R Improved)

Abaxial Crackstem (Boron Deficiency; S = Florimart, T = Florida 683)

Leaf Margin Chlorosis (Magnesium Deficiency; S = Utah 10-B, T = Tall Utah 52-75)

Blackheart (Calcium Deficiency; S = Florida 683)

Pithiness (Nutritional Deficiency; S = Tall Utah 52-70R Improved, T = Florida 2-13)

Other (Specify) _____

8. DISEASE RESISTANCE (0 = untested, 1 = susceptible, 2 = resistant; data from replicated tests comparing the application variety with the indicated susceptible (S) and resistant (R) check varieties should be provided whenever possible in Exhibit D):Bacterial Leaf Spot (*Pseudomonas cichorii*; S = Florida 683, R = Florimart)Early Blight (*Cercospora apii*; S = Florida 683, R = Florimart)Late Blight (*Septoria* spp.; S = Florida 683)Fusarium Yellow, Race 1 (*Fusarium oxysporum* f. sp. *apii*; S = Fordhook, R = Tall Utah 52-70R Improved)Fusarium Yellow, Race 2 (*Fusarium oxysporum* f. sp. *apii*; S = Tall Utah 52-70R Improved)Western Celery Mosaic (*Marmor umbelliferarum*; S = Florida 683)Southern Celery Mosaic (*Marmor cucumeris* var. *commelinae*; S = Florida 683)Pink Rot (*Sclerotinia* spp.; S = Florida 683)

Other (Specify) _____

9. INDICATE THE VARIETY THAT MOST CLOSELY RESEMBLES THE APPLICATION VARIETY FOR THE FOLLOWING CHARACTERS:

CHARACTER	VARIETY	CHARACTER	VARIETY
Plant Height	Tall Utah 52-70R Imp.	Leaf Color	Self
Petiole Color	Tall Utah 52-70R Imp.	Maturity	Tall Utah 52-70R Imp.
Petiole Length	Tall Utah 52-70R Imp.	Bolting Resistance	Slow bolting green #96

NOTE: Any additional descriptive information and supporting documentation may be provided as Exhibit D.

EXHIBIT D

ADDITIONAL DESCRIPTION OF THE VARIETY

Bishop is a midseason Crystal Jumbo type celery for fresh market or processing. The plant height is similar to 52-70R Improved but the petioles are longer, more deeply cupped and smoother. Bishop is similar to 52-70R Improved in stalk shape and conformation. Bishop is tolerant to Fusarium Yellow Race 2 and 52-70R Improved is susceptible. Both are resistant to Fusarium Yellow Race 1. (Figure 1 & 2 and Table 1 & 2)

Variety	<u>Race 2 Fusarium oxysporum f. sp. apii</u>			
	% Stunting (1)		Vascular discoloration (2)	
	Macroconidia/ml		Macroconidia/ml	
	1×10^4	1×10^6	1×10^4	1×10^6
Tall Utah 52-70R Improved	68%	98%	4.5	5
Bishop	0	10%	4.5	4.5

(1) - Dr. R. M. Endo U. C. Riverside Plant Pathologist uses percent stunting as an indication of the varieties ability to produce a near normal plant in a disease situation.

(2) - Vascular discoloration scale 1= vascular discoloration affecting less than 50% of the infected root and 5= affecting the entire crown; 2, 3, 4= intermediate values 65%, 75%, 85% respectively.

Variety	<u>Race 1 Fusarium oxysporum f. sp. apii</u>			
	% Stunting		Vascular discoloration	
	Macroconidia/ml		Macroconidia/ml	
	1×10^4	1×10^6	1×10^4	1×10^6
Tall Utah 52-70R Improved	0	0	0	0
Bishop	0	0	0	0.7

UNIT 1

UNIT 1: THE HISTORY OF THE UNITED STATES

The history of the United States is a long and complex one, spanning over 400 years. It begins with the first European settlers in the early 17th century, followed by the American Revolution in 1776. The country then grew in size and power, leading to the Civil War in 1861-1865. After the war, the United States emerged as a global superpower, playing a major role in the world during the 20th century.

The United States has a rich and diverse cultural heritage, with many different ethnic groups and languages. This diversity has shaped the country's identity and values, making it a unique and important nation in the world.

The United States has a long history of innovation and progress, with many important inventions and discoveries. This progress has led to the country's economic growth and global influence, making it a leader in many fields.

The United States has a strong commitment to democracy and freedom, which are core values of the country. These values have been the foundation of the country's success and have inspired many other nations around the world.

The United States has a long history of environmental stewardship, with many important laws and policies. This stewardship has helped to protect the country's natural resources and ensure a sustainable future for generations to come.

The United States has a strong commitment to social justice and equality, with many important laws and policies. This commitment has helped to create a more fair and equitable society, where everyone has the opportunity to succeed.

The United States has a long history of international cooperation and diplomacy, with many important treaties and agreements. This cooperation has helped to build a more peaceful and stable world, where nations can work together for the common good.

The United States has a strong commitment to human rights, with many important laws and policies. This commitment has helped to protect the rights of all people, regardless of their race, ethnicity, or religion.

The United States has a long history of scientific and technological advancement, with many important discoveries and inventions. This advancement has led to the country's economic growth and global influence, making it a leader in many fields.

FOUR STAR BOND

SOUTHWORTH CO. U.S.A.

MADE IN U.S.A.

ASSIGNMENT

WHEREAS, Moran Seeds, Inc. ("Moran"), a corporation duly organized and existing under the laws of the State of Delaware is the owner of United States Plant Variety Protection Certificates (the "Certificates"), listed in Exhibit A hereto and Pending United States Plant Variety Protection Applications (the "Applications"), listed in Exhibit B hereto; and

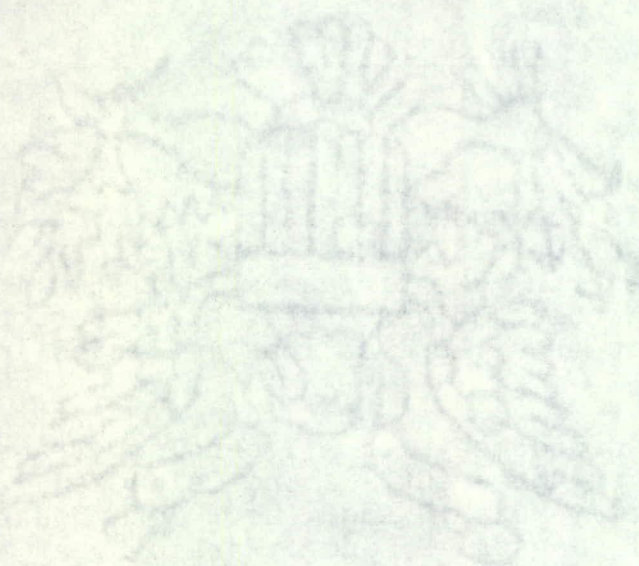
WHEREAS, in accordance with a Technology Transfer Agreement (the "Transfer Agreement") among Celanese Corporation ("Celanese"), Moran Seeds, Inc., Joseph Harris Company, Inc., CelPril Industries, Inc., Harris Moran International B.V. ("Sellers"), Virginia Chemicals, Inc., Les Produits Organiques du Santerre-Orsan S.A. ("Orsan"), HMS Acquisition Inc., CP Acquisition Inc., and Exploitiatiemaatschappij Wolwevershaven B.V., dated January 10, 1985, and a Purchase Agreement dated December 7, 1985, as amended, among Celanese, Sellers and Orsan, Orsan has purchased from Moran said Certificates and Applications.

NOW, THEREFORE, in accordance with said Transfer Agreement and Purchase Agreement, Moran assigns to Orsan all of its rights, title and interest in and to said Certificates and Applications.

Moran hereby authorizes Orsan to apply for and obtain the recordation of this Assignment. Moran agrees that it shall, without further consideration, promptly and duly cause to be performed such lawful acts and execution of any other documents as Orsan may reasonably request in order for Orsan to obtain the full benefits of this Assignment and to permit Orsan to be duly recorded in each office, bureau and tribunal in the appropriate jurisdiction as the registered owner or proprietor of each of the rights hereby assigned. Such instruments and documents shall include, without limitation, such applications, affidavits and other documents for filing in such jurisdictions as Orsan may from time to time reasonably request.

By these presents Orsan does hereby accept this Assignment and authorize the recording thereof with the appropriate authorities aforesaid.

182



IN WITNESS WHEREOF, the parties have caused this Assignment to be executed by its proper officers thereunto duly authorized this 10th day of January, 1985.

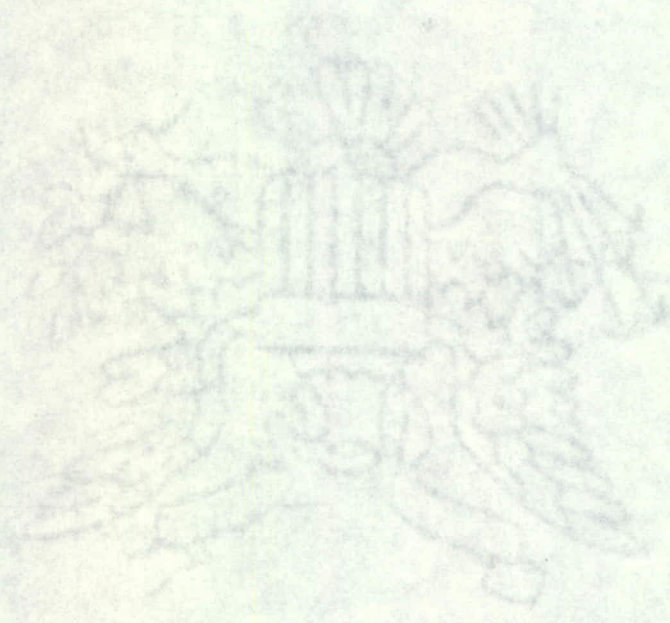
MORAN SEEDS, INC.,
Assignor

By: David A. Jenkins
David A. Jenkins
Vice President

LES PRODUITS ORGANIQUES DU
SANTERRE-ORSAN S.A.
Assignee

By: [Signature]
Title: Attorney-in-fact

1882



STATE OF New York
COUNTY OF New York

Before me, a Notary Public, in and for said County, personally appeared David Jenkins who acknowledged that he is Vice President of Moran Seeds, Inc., the corporation which executed the foregoing instrument and who acknowledged he signed said instrument on behalf of said corporation by authority of its Board of Directors; and that said instrument is the free corporate act and deed of said Moran Seeds, Inc.

Sworn before me at New York this 10th day
of January, 1985

Alex C. Lengyel
NOTARY PUBLIC

(Notary Public)

My Commission Expires:

ALEX C. LENGYEL
Notary Public, State of New York
No. 314605103
Qualified in New York County
Commission Expires March 30, 1986

1002



STATE OF New York
COUNTY OF New York

Before me, a Notary Public, in and for said County, personally appeared Patrice Gifford who acknowledged that he is Patrice Gifford of Les Produits Organiques du Santerre-Orsan S.A., the corporation which executed the foregoing instrument and who acknowledged he signed said instrument on behalf of said corporation by authority of its Board of Directors; and that said instrument is the free corporate act and deed of said Les Produits Organiques du Santerre-Orsan S.A.

Sworn before me at New York this 10th
day of January, 1985.

Alex C. Lengyel
NOTARY PUBLIC

(Notary Public)

My Commission Expires:

ALEX C. LENGYEL
Notary Public State of New York
No. 31-4805123
Qualified in New York County
Commission Expires March 30, 1986



982

United States Plant Variety Protection Certificates


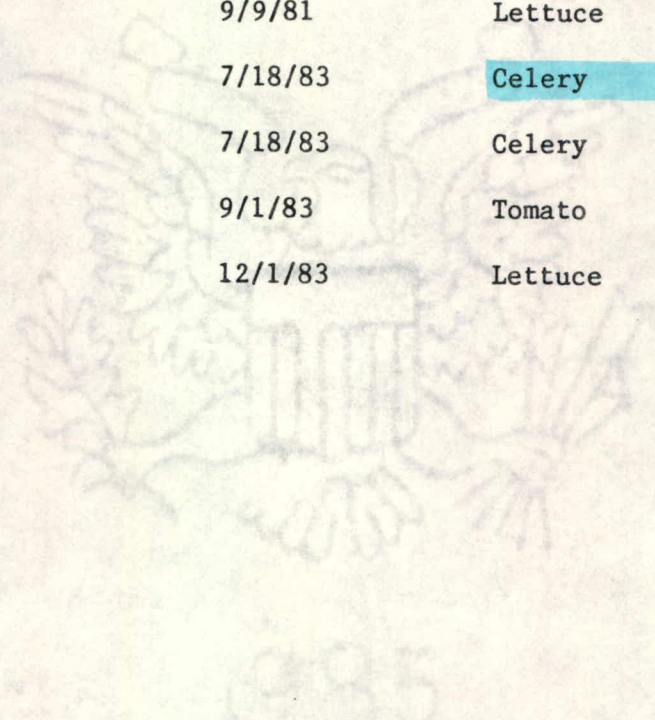
<u>Cert. No.</u>	<u>Date Issued</u>	<u>Kind</u>	<u>Variety Name</u>	<u>Owner</u>
7200145	10/30/74	Garden Bean	Gem	Moran Seeds, Inc.
7200146	11/15/74	Watermelon	Charleston 76	Moran Seeds, Inc.
7400013	5/9/74	Lettuce	Calmaria	Moran Seeds, Inc.
7400014	6/19/74	Lettuce	Cal K-60	Moran Seeds, Inc.
7400071	6/19/74	Lettuce	Cabrillo	Moran Seeds, Inc.
7600032	9/15/77	Lettuce	Vanagara	Moran Seeds, Inc.
7600039	12/8/77	Lettuce	Morangold	Moran Seeds, Inc.
7800028	5/31/79	Muskmelon	Valley Gold	Moran Seeds, Inc.
7900038	1/14/82	Garden Bean	Blue Duet	Moran Seeds, Inc.
7900039	7/15/82	Snapbean	Score	Moran Seeds, Inc.
7900066	11/27/79	Cauliflower	Snowball 123	Moran Seeds, Inc.
8000020	7/31/80	Muskmelon	Top Net	Moran Seeds, Inc.
8000082	12/10/81	Lettuce	Delmar	Moran Seeds, Inc.
8200019	10/28/82	Onion	OMO M	Moran Seeds, Inc. Oshita, Inc.
8200061	3/24/83	Watermelon	Sun Gold	Moran Seeds, Inc.
8200104	10/28/82	Tomato	Advantage	Moran Seeds, Inc.
8200105	11/26/82	Tomato	Moran 3053	Moran Seeds, Inc.
8200027	4/23/83	Lettuce	El Toro	Moran Seeds, Inc.
8100172	9/29/83	Lettuce	Van Mor	Moran Seeds, Inc.
8300113	8/31/84	Muskmelon	Top Net SR	Moran Seeds, Inc.



1885

Pending United States Plant Variety Protection Applications

<u>Application No.</u>	<u>Filing Date</u>	<u>Kind</u>	<u>Variety Name</u>	<u>Owner</u>
8100167	9/9/81	Lettuce	Yuma	Moran Seeds, Inc.
8300155	7/18/83	Celery	Bishop	Moran Seeds, Inc.
8300156	7/18/83	Celery	Deacon	Moran Seeds, Inc.
8300172	9/1/83	Tomato	Diego	Moran Seeds, Inc.
8400013	12/1/83	Lettuce	Greenfield	Moran Seeds, Inc.





1882

DEED OF ASSIGNMENT

WHEREAS, Les Produits Organiques du Santerre - ORSAN (S.A.), a French corporation having a place of business at 16 rue Ballus, 75009 Paris, France (hereinafter referred to as "ASSIGNOR") owns and is using the Plant Variety Protection Certificates listed on the attached Exhibit for the indicated varieties which were awarded to ASSIGNOR by the Secretary of Agriculture on the indicated dates upon applications filed with the United States Plant Variety Protection Office; and

WHEREAS, Arisix (S.A.), a French corporation having a place of business at 61 rue des Belles Feuilles, 75116 Paris, France,

(hereinafter referred to as "ASSIGNEE") is desirous of acquiring the entire right, title and interest in and to the said varieties and Plant Variety Protection Certificates;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR has sold, assigned and transferred, and by these presents does sell, assign and transfer unto said ASSIGNEE, and ASSIGNEE'S successors and assigns, all right, title and interest in and to the said varieties and said Plant Variety Protection Certificates in the United States including reissues, and including the right to enforce such rights against any past, present or future violation thereof, the said interest to be held and enjoyed by said ASSIGNEE as fully and exclusively as it would have been and enjoyed by said ASSIGNOR had this assignment and transfer not been made, to the full end and term of any right, title and interest assigned and transferred hereby.

ASSIGNOR further agrees that it will, without charge to said ASSIGNEE, but at ASSIGNEE's expense, cooperate with ASSIGNEE in the assignment of said Certificates and the perfection of all rights thereto, execute, verify, acknowledge and deliver all such further papers and instruments of assignment and transfer

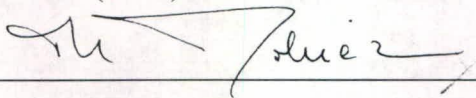
2000

thereof, and will perform such other acts as ASSIGNEE lawfully may request, to obtain or maintain the listed Certificates and to vest title thereto in said ASSIGNEE or ASSIGNEE's successors and assigns.

IN TESTIMONY WHEREOF, an authorized representative of ASSIGNOR has hereunto signed its name to this assignment on the date indicated below.

Les Produits Organiques du Santerre
- ORSAN (S.A.)

Date: 1/11/95



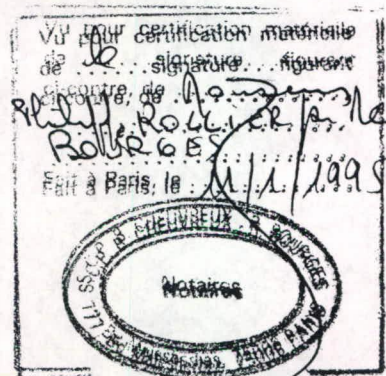
PHILIPPE ROLLIER
Print Name

PRESIDENT
Print Title

On this date, _____, 1993, before me, the undersigned notary public, personally appeared the above-named assignor, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

(Notaire)

Seal/Stamp



116

DEED OF ASSIGNMENT

WHEREAS, Arisix (S.A.), a French corporation having a place of business at 61 rue des Belles Feuilles, 75116 Paris, France (hereinafter referred to as "ASSIGNOR") owns and is using the Plant Variety Protection Certificates listed on the attached Exhibit for the indicated varieties which were awarded to ASSIGNOR by the Secretary of Agriculture on the indicated dates upon applications filed with the United States Plant Variety Protection Office; and

WHEREAS, Clause (S.A.), a French corporation having a place of business at 1 Avenue Lucien Clause, 91221 Bretigny sur ORGE Cedex, France,

(hereinafter referred to as "ASSIGNEE") is desirous of acquiring the entire right, title and interest in and to the said varieties and Plant Variety Protection Certificates;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR has sold, assigned and transferred, and by these presents does sell, assign and transfer unto said ASSIGNEE, and ASSIGNEE'S successors and assigns, all right, title and interest in and to the said varieties and said Plant Variety Protection Certificates in the United States including reissues, and including the right to enforce such rights against any past, present or future violation thereof, the said interest to be held and enjoyed by said ASSIGNEE as fully and exclusively as it would have been and enjoyed by said ASSIGNOR had this assignment and transfer not been made, to the full end and term of any right, title and interest assigned and transferred hereby.

ASSIGNOR further agrees that it will, without charge to said ASSIGNEE, but at ASSIGNEE's expense, cooperate with ASSIGNEE in the assignment of said Certificates and the perfection of all rights thereto, execute, verify, acknowledge and deliver all such further papers and instruments of assignment and transfer

thereof, and will perform such other acts as ASSIGNEE lawfully may request, to obtain or maintain the listed Certificates and to vest title thereto in said ASSIGNEE or ASSIGNEE's successors and assigns.

IN TESTIMONY WHEREOF, an authorized representative of ASSIGNOR has hereunto signed its name to this assignment on the date indicated below.

Date: 11/11/95

Arisix (S.A.)
[Signature]
P DE SAINT RAPT
Print Name
PRESIDENT
Print Title

On this date, _____, 1993, before me, the undersigned notary public, personally appeared the above-named assignor, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

Seal/Stamp

(Notaire)
Vu pour certification matérielle
de [Signature] signature... figurant
ci-contre, de N. O. M. E.
de S.A.I.N.T. R.A.P.T.
M. de B. G. E. S.
Fait à Paris, le 11/11/1995
S.C.P. B. CHEUVREUX - R. BOURGES
Notaires
77 Bd Malesherbes, 75008 PARIS

EXHIBIT

Certif. #	Date Status Begins	Crop	Variety Name
7600032	09/15/77	Lettuce	Vanagara
7600039	12/08/77	Lettuce	Morangold
7605018	09/28/77	Marigold	Cabaret Orange
7800028	05/31/79	Muskmelon	Valley Gold
7800033	12/21/78	Radish	Fancy Red
7800086	01/25/79	Lettuce	Deep Red
7900038	01/14/82	Garden Bean	Blue Duet
7900039	07/15/82	Garden Bean	Score
7900066	11/27/79	Cauliflower	Snowball 123
8000020	07/31/80	Muskmelon	Top Net
8000082	12/10/81	Lettuce	Delmar
8100167	3/29/85	Lettuce	Yuma
8100172	09/29/83	Lettuce	Van Mor
8200027	04/23/83	Lettuce	El Toro
8200045	09/23/82	Turnip	Royal Gem
8200061	03/24/83	Watermelon	Sun Gold
8200068	12/30/82	Egg Plant	Little Fingers
8200104	10/28/82	Tomato	Advantage
8200105	11/26/82	Tomato	Moran 3053
8300024	12/30/83	Radish	Red King
8300113	08/31/84	Muskmelon	Top Net SR
8300155	02/22/85	Celery	Bishop
8300156	01/25/85	Celery	Deacon
8300172	11/29/85	Tomato	Harris Morgan 3075
8400013	2/19/88	Lettuce	Greenfield
8600032	03/11/88	Tomato	Murrieta II

Expired

Expired

Expired

PLANT VARIETY PROTECTION REGISTRATION ASSIGNMENTS

Clause, S.A. to Harris Moran Seed Company

WHEREAS, Clause, S.A. ("Assignor"), a corporation organized and existing under the laws of France, has sold and transferred assets, including plant variety protection registrations, to Harris Moran Seed Company ("Assignee"), a corporation organized and existing under the laws of the State of Maryland;

WHEREAS, Assignor, is the owner of the following plant variety protection registrations:

<u>VARIETY NAME</u>	<u>Registration No.</u>	<u>Issue Date</u>
BLUE DUET	7900038	01/14/82
SCORE	7900039	07/15/82
TOP NET SR	8300113	08/31/84
TOP NET	8000020	07/31/80
SNOWBALL 123	7900066	11/27/79
BISHOP	8300155	02/22/85
DEACON	8300156	01/25/85
LITTLE FINGERS	8200068	12/30/82
EL TORO MI	8200027	04/28/83
DELMAR MI	8000082	12/10/81
GREENFIELD MI	8400013	02/19/88
VAN MOR MI	8100172	03/29/83
YUMA MI	8100167	03/29/85

RED KING	8300024	12/30/83
MORAN 3053	8200105	11/26/82
ADVANTAGE	8200104	10/28/82
HARRIS MORAN 3075	8300172	11/29/85
ROYAL GEM	8200045	09/23/82
SUN GOLD	8200061	03/24/83

WHEREAS, Assignor is desirous of selling and Assignee is desirous of acquiring the aforesaid plant variety protection registrations of Assignor.

NOW THEREFORE, for \$10.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor, by these presents sells, assigns and transfers to Assignee, its successors and assigns, all right title and interest in and to the above-referenced plant variety protection registrations, to be held and enjoyed by said Assignee, as fully as the same would have been enjoyed by said Assignor, had this assignment not been made.

Assignor also assigns and transfers to Assignee, any and all causes of action, claims, demands, or other rights occasioned from or because of any and all past infringement of any of the above referenced plant variety protection registrations.

Assignor further agrees that upon request, it will execute any and all documents necessary to vest all rights, title and interest in and to the above-referenced plant variety protection registrations

IN WITNESS WHEREOF, said Assignor, has affixed its signature hereto this 22 day of

January, 1997.

CLAUSE, S.A.

By: 

Name: John W. Fowler

Title: Chairman

ASSIGNMENT OF INTELLECTUAL PROPERTY

WHEREAS, HARRIS MORAN SEED COMPANY, a corporation duly organized and existing under the laws of the State of Maryland, having its principal place of business at 4511 Willow Road, Suite 3, Pleasanton, California 94588 ("Assignor"), has, pursuant to that certain Bill of Sale and Assignment dated as of June 30, 1997, transferred to FERRY-MORSE SEED COMPANY (CALIFORNIA), a corporation duly organized and existing under the laws of the State of California, having its principal place of business at 555 Codoni Avenue, P.O. Box 4938, Modesto, California 95352-4938 ("Assignee"), all of the intellectual property Assignor had adopted, used and was using as of the effective date of this Assignment, including without limitation, the intellectual property represented by the United States Plant Variety Protection Certificates of Assignor identified on Schedule A hereto (collectively, the "Property"); and

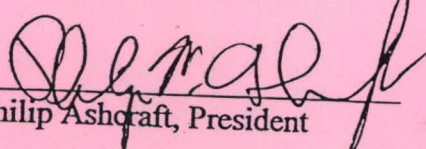
WHEREAS, on the date hereof, Assignee has changed its name to "Harris Moran Seed Company";

NOW, THEREFORE, effective by this instrument as of the close of business on June 30, 1997, and for good and valuable consideration, receipt of which is hereby acknowledged, Assignor hereby assigns to Assignee any and all right, title and interest worldwide in and to the Property and any and all recordings thereof, including, but not limited to, the use of the Property in any manner, all benefit of any and all prior use of the Property, and any and all rights to initiate claims or proceedings for past, present or future infringements of Assignor's rights, title and interest in and to the Property.

Dated: as of June 30, 1997

HARRIS MORAN SEED COMPANY

By:


Philip Ashcraft, President

CERTIFICATE OF AMENDMENT
OF THE
ARTICLES OF INCORPORATION
OF

FERRY-MORSE SEED COMPANY (CALIFORNIA)
(a California corporation)

14300010

ENDORSED
FILED

In the office of the Secretary of State
of the State of California

JUN 30 1997

Bill Jones
BILL JONES, Secretary of State

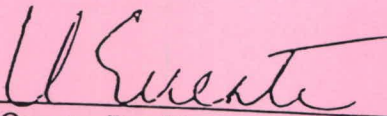
To the Secretary of State
State of California

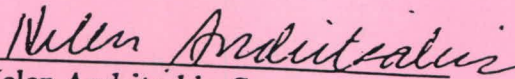
Pursuant to the provisions of the General Corporation Law of the State of California, the undersigned officers of FERRY-MORSE SEED COMPANY (CALIFORNIA), a California corporation (the "Corporation"), do hereby certify as follows:

1. The name of the Corporation is Ferry-Morse Seed Company (California).
2. Article One of the Corporation's Articles of Incorporation, which relates to the name of the Corporation, is hereby amended in its entirety to read as follows:
 - One. The name of this Corporation is:
HARRIS MORAN SEED COMPANY.
3. The amendment herein provided for has been approved by the Corporation's Board of Directors.
4. The amendment herein provided for was approved by the written consent of the Corporation's sole shareholder in accordance with the provisions of Section 902 of the California General Corporation Law. The total number of outstanding shares of the corporation is 5,000.

IN WITNESS WHEREOF, each of the undersigned does hereby declare under the penalty of perjury that he or she signed the foregoing Certificate of Amendment as of June 30,

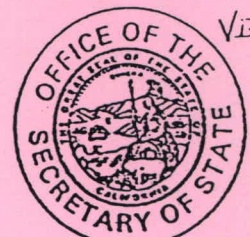
1997, in the Town of Modesto, State of California, in the official capacity set forth beneath his or her signature and that the statements set forth in this certificate are true of his or her own knowledge.


Yves Queste, President


Helen Andritsakis, Secretary

State of California

SECRETARY OF STATE



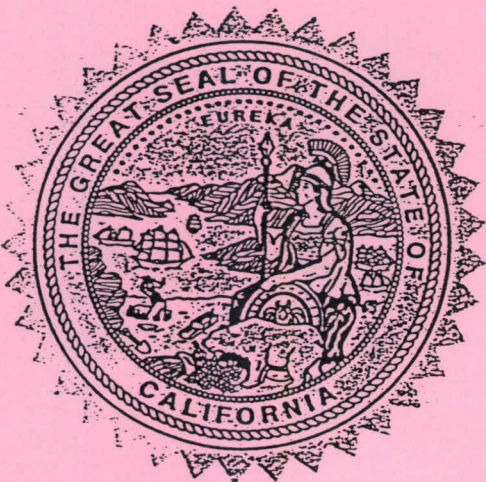
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I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the attached transcript has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute
this certificate and affix the Great
Seal of the State of California this

JUN 30 1937



Secretary of State

